

2632
JH

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number 10/698,883

Filing Date October 31, 2003

First Named Inventor David B. Fallin

Art Unit 2632

Examiner Name Nguyen, Tai T.

Attorney Docket Number C4-1163

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation

☐ Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s) (please identify
below):

Remarks

CUSTOMER CODE 26799

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Tyco Fire & Security

Signature

Printed name

Frank A. Cona

Date

December 16, 2004

Reg. No.

38,412

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Mariah Moorhead

Typed or printed name

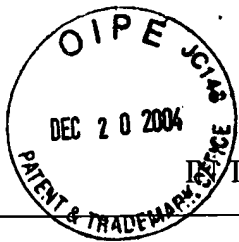
Mariah Moorhead

Date

December 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that the documents referenced herein are being deposited with the United States Postal Service, as First Class Mail, addressed to Mailstop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 16, 2004.

Mariah Moorhead (Depositor's Signature)

Mariah Moorhead (Depositor's Name)

In re Appln of: Fallin, et al.

Customer Code No.: 26799

Serial No.: 10/698,883

Art Unit: 2632

Filing Date: October 31, 2003

Examiner: Nguyen, Tai T.

Title: INTEGRATED ELECTRONIC ARTICLE SURVEILLANCE (EAS) AND POINT
OF SALE (POS) SYSTEM AND METHOD

Date: December 16, 2004

Mailstop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed December 7, 2004, Applicants hereby make the following election:

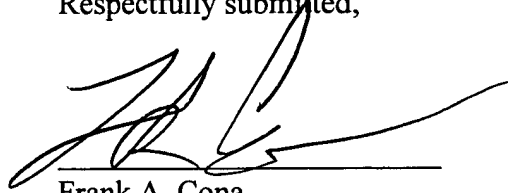
Applicants elect the claims of Group I (claims 1-12 and 22-44, drawn to a method for integrating POS data with EAS data, classified in class 340, subclass 572.1.

Applicants reserve the right to pursue the non-elected claims in a divisional application prior to issuance of a patent on the instant application.

If any additional issues arise which the Examiner believes would be best resolved by a telephone interview, he is invited to contact the undersigned attorney at the number given below.

The Commissioner is authorized to charge any fees or credit any overpayment to Deposit Account No. 19-1346. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank A. Cona', written over a horizontal line.

Frank A. Cona
Reg. No. 38,412

MAILING ADDRESS:

Tyco Fire & Security Services
One Town Center Road
Boca Raton, Florida 33486
561-981-4366 (phone)
561-988-7843 (fax)